

Document Description: Petition for Review by the Office of Petitions

PTO/SB/84 (08-09)  
Approved for use through 07/31/2009. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

**Docket Number (Optional)**  
**35056-512 (15896)**

First named inventor: Lipp, Brian A.

Application No.: 10/763,040

Art Unit: 3771

Filed: 01/21/2004

Examiner: Dixon, Annette Fredricka

Title: Gas or Liquid Flow Sensor

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional

**1. Petition Fee**

- ☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Application claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity-fee \$ 1,620.00 (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,810 07/14/2009 VBUT22 00000003 10763040

- ☐ has been paid previously on 01 FC:1453 1620.00 0P
- ☒ is enclosed herewith.

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

PTO/SB/64 (08-09)

Approved for use through 07/31/2009. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## 3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

C. Michael Gegenheimer

Signature

C. Michael Gegenheimer

Type or Printed name

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Address

Columbus, m Ohio 43026

Address

07/13/2009

Date

33,387

Registration Number, If applicable

614-424-4293

Telephone Number

Enclosures:

- ☒ Fee Payment
- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unintentional delay
- ☒ Other: Petition for Change in Entity Status; Credit Card Payment Form

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

7-13-2009

Date

Judy Readman

Signature

JUDY Readman

Typed or printed name of person signing certificate

(Page 2 of 2)

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**PATENT APPLICATION**

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

*Art Unit:* 3771  
*Attorney*  
*Docket:* 35056-512 (15896)  
*Applicant:* Lipp, Brian A.  
*Title:* Sensor For Detecting Air Flow  
*Serial No.:* 10/763,040  
*Filed:* 01/21/2004  
*Examiner:* Dixon, Annette Fredricka

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED**  
**UNINTENTIONALLY**

Mail Stop Petition  
Commissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.181(a), the Applicants hereby petition for revival of the subject application that was unintentionally abandoned. The Applicants missed the deadline for payment of July 6, 2009.


Payment of the \$1,620 fee pursuant to 37 CFR 1.17(m) for this Petition to Revive and Unintentionally Abandoned Application is enclosed.

Pursuant to 37 CFR 1.137(b)(2), please find enclosed payment of the large entity fee of \$1,510. A Request for Change in Entity Status was submitted June 26, 2009 (see attachment).

The entire delay in payment of the issue fee was unintentional.

In light of the Applicants' good faith effort to prosecute the present application, they respectfully petition that the late issue fee and publication fee be accepted. If any outstanding issues still need to be resolved, please contact the undersigned.

Respectfully submitted,

  
C. M. Gegenheimer  
Reg. No. 33,387

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